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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SAITO et al.

Serial No. 10/642,899

Filing Date: August 18, 2003

Examiner: W.J. Klimowicz

For: DUAL-TYPE MAGNETIC DETECTING
ELEMENT IN WHICH FREE MAGNETIC
LAYER AND PINNED MAGNETIC LAYER
HAVE SUITABLY SELECTED BETA VALUES

Group Art Unit No. 2627

Our Case No. 9281/4631

Client Ref. No.: N US02078

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT

Mail Stop Patent Ext
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

U.S. Patent Application Serial No. 10/642,899 has a patent term adjustment under 35 U.S.C. §154(b) of 541 days as indicated by the PAIR PTA adjustment history, herein attached as Appendix A. U.S. Patent Application 10/642,899 is not subject to a terminal disclaimer. For the reasons stated herein, reconsideration of this patent term adjustment is respectfully requested.

Period of adjustment pursuant to 37 CFR § 1.703(a)(1)

The PTO calculation of the period of adjustment pursuant to 37 C.F.R. § 1.703(a)(1) indicates, as shown by the PAIR PTA adjustment history, an adjustment of 541 days (14 months after the filing of the application on August 18, 2003 to the mailing of the first Office Action on April 12, 2006).

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Period of adjustment pursuant to 37 C.F.R. § 1.703(b)

The period of adjustment pursuant to 37 C.F.R. § 1.703(b) is the number of days in the period beginning on the day ("the 3 year date") after the date that is three years after the date on which the application was filed pursuant to 35 U.S.C. § 111(a) or fulfilled the requirements pursuant to 35 U.S.C. § 371.

The present application was filed on August 18, 2003. The 3 year date specified in 37 C.F.R. § 1.703(b) is August 18, 2006. The issue date as indicated by the Issue Notification is January 2, 2007. The Issue Notification is attached as Appendix B. The difference between the 3 year date (August 18, 2006) and the issue date (January 2, 2007) is 137 days.

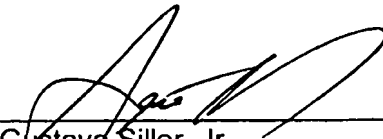
Total patent term adjustment

For the present application, the total patent term adjustment pursuant to 37 C.F.R. § 1.703(f) is the adjustment under 37 C.F.R. § 1.703 reduced by the reduction under 37 C.F.R. § 1.704. The total adjustment is thus $541 + 137 - 0 = 678$ days.

For the reasons stated herein, reconsideration of the patent term adjustment is respectfully requested pursuant to 37 C.F.R. 1.705(b). Please charge the fee and/or credit any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Applicants respectfully request reconsideration of the patent term adjustment for this application. Office personnel are invited to contact the undersigned for Applicants via telephone if such communication would expedite this request.

Respectfully submitted;



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